

WYATT
36143-120202



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***DECEMBER 2, 2002
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call.** (Council Members Wyatt, Dowe and Harris were absent.)

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

(Approved 4-0)

File #110-132

A communication from Council Member William H. Carder requesting that Council convene in a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended.

(Approved 4-0)

File #80-132

THE COUNCIL MEETING WAS DECLARED IN RECESS AT 12:17 P.M. TO BE RECONVENED AT 12:20 P.M. IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, FOR A MEETING OF CITY COUNCIL/THE ROANOKE CITY SCHOOL BOARD/AND AREA LEGISLATORS.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***DECEMBER 2, 2002
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call. (All Present.)

The Invocation was delivered by The Reverend David J. Fuller, Missions Pastor, Church of the Holy Spirit.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, December 5, 2002, at 7:00 p.m., and Saturday, December 7, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

A resolution recognizing George A. Kegley as the City of Roanoke 2002 Citizen of the Year.

Adopted Resolution No. 36143-120202. (7-0)
File #80-496

A resolution memorializing Ms. Adelaide Fisher.

Adopted Resolution No. 36144-120202. (7-0)
File #80-367

Economic development opportunities between the City of Roanoke and Wonju, Korea, Roanoke's Sister City. Elizabeth A. Neu, Chief, Economic Development.
File #327

3. CONSENT AGENDA

(APPROVED 7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 A communication from the City Manager requesting that Council schedule a public hearing for Monday, December 16, 2002, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to donation of property to the Western Virginia Foundation for the Arts and Sciences, in connection with the Art Museum-IMAX Theatre.

RECOMMENDED ACTION: Concur in the request.
File #68-427

C-2

Qualification of the following persons:

Judy O. Jackson as a member of the Human Services Committee, for a term ending June 30, 2003;

John W. Brown, Jr., and Rick Clark as members of the City of Roanoke Transportation Safety Commission, for terms ending October 31, 2006;

Dennis R. Cronk as a Director of the Industrial Development Authority, for a term ending October 20, 2006;

Ashley Johnson as a member of the Youth Services Citizen Board to fill the unexpired term of Duriel M. Wood, ending May 31, 2003; and

Barry W. Baird as a member of the New Construction Code, Board of Appeals, for a term ending September 30, 2007.

RECOMMENDED ACTION: Receive and file.
File #15-110-32-207-304-316-318

| REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from the City Manager sponsoring a presentation on Workforce Investment Act Services activities.
(No Action Taken.)
File #72-450

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending acceptance of a donation from the Allstate Foundation for Homeland Defense training, in the amount of \$15,000.00.

Adopted Budget Ordinance No. 36145-120202 and Resolution No. 36146-120202. (7-0)

Council Member Cutler suggested that Police Officer Eric A. Horne be invited to a future City Council meeting to present a briefing on Homeland Defense training.

File #5-60-68

2. A communication recommending revisions to the Sewer Use Standards.

**Adopted Ordinance No. 36147-120202. (7-0)
File #24-27-468-529**

3. A communication recommending amendment to the City's policy in connection with the process for determination of tax-exempt property.

Adopted Resolution No. 36148-120202. (7-0)

With reference to the Downtown Service District Tax, Council Member Carder inquired about application of the policy which requires an annual service charge equal to 20 per cent of the real estate tax levy that would be applicable to the real property of an organization if the organization were not exempt from such tax. The City Manager advised that a response would be provided to the inquiry following consultation with the City Attorney.

File #79

4. A communication with regard to rejection of bids for City towing.

Adopted Resolution No. 36149-120202. (7-0)
File #530

b. CITY ATTORNEY:

1. A report transmitting an ordinance amending Section 32-39, Board of Equalization, Chapter 32, Taxation, Code of the City of Roanoke (1979), as amended, and creating a “permanent” board.

Adopted Ordinance No. 36150-120202. (7-0)
File #24-79-162

c. DIRECTOR OF FINANCE:

1. Financial report for the month of October 2002.

Received and filed.
File #10

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 36141, on second reading, rezoning the rear 25 feet x 50 feet portion of Official Tax No. 2761421 from RS-3, Residential Single Family District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioner; and repealing and replacing conditions set forth in Ordinance No. 32294-121994 for property located at the corner of Virginia Avenue and Westside Boulevard, N. W., designated as Official Tax No. 2761409.

Adopted Ordinance No. 36141-100202 on second reading. (5-2)
(Council Members Wyatt and Bestpitch voting no.)
File #51

- b. A resolution canceling the work session meeting of City Council scheduled to be held at 12:15 p.m., on December 30, 2002.

Adopted Resolution No. 36151-120202. (7-0)
File #132

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Adopted Resolution No. 36152-120202 closing certain City offices on Tuesday, December 24, 2002, and providing for additional holiday leave for all City employees. (7-0)
File #184

Council Member Wyatt inquired about the status of a proposed ordinance regulating tattoo parlors in the City of Roanoke; whereupon, the City Manager advised that the matter will be included on the next agenda of the City Planning Commission for consideration and referral to Council for appropriate action.
File #51-200

Council Member Carder called attention to the annual lighting of the City's Christmas Tree on Friday, December 6 at 5:30 p.m., at First Union Plaza, and the annual Christmas Parade on December 13 at 6:30 p.m.
File #87

Mayor Smith acknowledged the efforts of all persons responsible for activities associated with the dedication of the historic plaque at the Mill Mountain Star on November 27 at 12:00 noon.
File #67-216

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. Robert Gravely, 1728 Patterson Avenue, S. W., expressed dissatisfaction with wages paid to City employees, assessment of properties in certain areas of the City, the City's crime rate, and the City's water supply.

File #5-162-184-468

12. CITY MANAGER COMMENTS:

The Council meeting was declared in recess for two Closed Sessions.

CERTIFICATION OF CLOSED SESSION. (6-0.) (Vice Mayor Harris was absent.)

The following persons were reappointed to certain Council-Appointed Committees:

**Court Community Corrections
Program Regional Criminal
Justice Board
File #15-20**

**Judge Julian H. Raney,
Jr. and Judge John B.
Ferguson for terms of
three years, each, ending
June 30, 2005.**

**Roanoke Neighborhood Partnership
Steering Committee
File #15-488**

**Robin Murphy-Kelso,
Shirley M. Bethel, and
Carl D. Cooper for terms
of three years, each,
ending November 30,
2005.**

**Blue Ridge Behavioral Healthcare
Board of Directors
File 15-314**

**Robert Williams, Jr., for
a term of three years,
ending December 31,
2005.**